

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CYNTHIA MARIE HERNANDEZ,

Plaintiff,

VS.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

SA-22-CV-01013-JKP

ORDER

Before the court in the above-styled cause of action is Plaintiff's motion to proceed *in forma pauperis* [#1]. This case was automatically referred to the undersigned upon filing, and the undersigned has authority to enter this order pursuant to 28 U.S.C. § 636(b)(1)(A). Plaintiff seeks leave to proceed in forma pauperis ("IFP") based on an inability to afford court fees and costs. Having considered Plaintiff's application and supporting affidavit, the Court is of the opinion the motion should be granted.

All parties instituting any civil action, suit, or proceeding in a district court of the United States, except an application for a writ of habeas corpus, must pay a filing fee of \$350, as well as an administrative fee.¹ *See* 28 U.S.C. § 1914(a). Plaintiff's motion to proceed IFP includes her and her spouse's income and asset information, which indicates that Plaintiff is unemployed but her spouse receives \$3,080 per month from his employment. The motion also details Plaintiff's monthly expenses and balances in her various joint bank accounts. This information

¹ The administrative fee, which is currently \$50, is waived for plaintiffs who are granted IFP status. See *District Court Miscellaneous Fee Schedule*, available at <http://www.uscourts.gov/services-forms/fees/district-court-miscellaneous-fee-schedule>.

demonstrates that Plaintiff does not have sufficient monthly resources available to pay the filing fee, and the Court will grant the motion to proceed IFP.

IT IS THEREFORE ORDERED that Plaintiff's application to proceed *in forma pauperis* [#1] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Complaint [#1-2] shall be filed by the Clerk without prepayment of fees, costs or the giving of security, and the Clerk shall, until further Order of this Court, waive the collection of any other fees or costs from Plaintiff.

IT IS FURTHER ORDERED that the Clerk issue the summonses requested [#2].

SIGNED this 19th day of September, 2022.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE